

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 06 1998
Returned to applicant for correction _____
Corrected application filed _____
Map filed FEB 11 1994 under 59743-T

The applicant Blue Diamond Materials, Inc., hereby makes application for permission to change the point of diversion, manner of use, and place of use of water heretofore appropriated under Permit 11834

1. The source of water is Las Vegas Artesian Basin - underground source
2. The amount of water to be changed 0.02 cfs
3. The water to be used for industrial and domestic
4. The water heretofore permitted for irrigation and domestic
5. The water is to be diverted at the following point within NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 22 South, Range 60 East, M.D.B.&M., Clark County, Nevada, from which the northeast corner of said Section 26 bears North 63° 30' 54" East, a distance of 2863.18 feet. See map filed with Application 59743T and 59744T.
6. The existing permitted point of diversion is located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, Township 20 South, Range 61 East, M.D.B.&M., or at a point from which the SW corner of said Section 20 bears South 72° 01' West a distance of 1286 feet.
7. Proposed place of use all land lying east of the Pacific Railroad right-of-way within SE $\frac{1}{4}$ of Section 23, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 26, all within Township 22 South, Range 60 East, M.D.B.&M., Clark County, Nevada. See map filed with Applications 59743T and 59744T.
8. Existing place of use portion of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, Township 20 South, Range 61 East, M.D.B.&M. more particularly described as Lot 10 of Sebec Acres as shown by map thereof on file in Book 2/28 of Plats, Clark County records.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works Well, pump, and appurtenances
12. Estimated cost of works \$85,000.00
13. Estimated time required to construct works Existing 10 inch cased well, 6 inch pump, pump house, and appurtenances
14. Estimated time required to complete the application of water to beneficial use 5 years

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15. Remarks: Use is for existing materials processing and related operations.

By s/Gregory J. Walch
Gregory J. Walch, Esq.
3773 Howard Hughes Pkwy., Suite 290N
Las Vegas, NV 89109

Compared my/cms dl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 11834, Certificate 4069 is issued subject to the terms and conditions imposed in said Permit 11834, Certificate 4069 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.02 cubic feet per second, **but not to exceed 6.70 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Application of water to beneficial use shall be filed on or before:

January 24, 2002

Proof of the application of water to beneficial use shall be filed on or before:

February 24, 2002


Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 9th day of June, A.D. 1999


State Engineer

Completion of work filed N/A

Proof of beneficial use filed MAR 27 2002

Cultural map filed _____

Certificate No. 16119 Issued AUG 21 2002